



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL JOE ELLIS

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CRIMINAL NO. 9:04-CR-37
THAD HEARTFIELD

**ORDER FOR EVALUATION TO DETERMINE EXISTENCE OF
INSANITY AT TIME OF OFFENSE AND CONTINUING DATE**

On July 13, 2005, defendant Michael Joe Ellis filed a *Notice to the United States of Defendant's Assertion of an Insanity Defense* [Clerk's Docket No. 58].

IT IS THEREFORE ORDERED that defendant Michael Joe Ellis shall **REMAIN**¹ at the Medical Center for the Federal Bureau of Prisons for a period not to exceed 30 additional days so that he can be evaluated so as to determine if he was insane at the time of the offense pursuant to 18 U.S.C. § 4242.

IT IS FURTHER ORDERED that a licensed examiner shall undertake a psychological examination of Michael Joe Ellis at the Medical Center for the Federal Bureau of Prisons.

IT IS FURTHER ORDERED that the examiner conducting the psychological examination of Michael Joe Ellis shall submit a written report comporting with 18 U.S.C. § 4247(c)(1-4). The report shall be forwarded to the undersigned judge,² counsel for the defendant³ and the United States

¹ The defendant has already been evaluated by the Medical Center so as to determine whether he is competent to stand trial.

² Chief Judge Thad Heartfield, Jack Brooks Federal Building, 300 Willow Street, Suite 212, Beaumont, Texas, 77701, (409) 654-2860.

³ Mr. Roger Neil Moss, P.O. Box 153031, 113 East Lufkin Avenue, Lufkin, Texas, 75915-3031, (936) 639-6501.

Attorney⁴ to whom the case is assigned.

IT IS FURTHER ORDERED that this matter is **CONTINUED** to the October 17, 2005 trial docket.

IT IS FURTHER ORDERED that the period of delay in bringing Michael Joe Ellis to trial necessitated by the examination to determine insanity at the time of the offense is excluded from the computation of time within which his trial must commence pursuant to the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(A).

SO ORDERED.

SIGNED this the **8** day of **August, 2005**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", is written over a horizontal line.

Thad Heartfield
United States District Judge

⁴ Ms. Lisa G. Flournoy, 415 S. First Street, Suite 201, Lufkin, Texas, 75901, (936) 639-4003.